| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 09/840,455 | 04/24/2001 | Sung Lyong Lee | Q62057 | 1907 |

| | |
|---|---|
| 7590          11/17/2003 | EXAMINER |
| SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC | SHAPIRO, LEONID |
| 2100 PENNSYLVANIA AVENUE, N.W. | |
| WASHINGTON, DC  20037-3213 | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2673 | 8 |

DATE MAILED: 11/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on _24 October 2003_.

2a)☐ This action is **FINAL**.     2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) _3 and 6-11_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _3 and 6-11_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

    a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4)☐ Interview Summary (PTO-413) Paper No(s). _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: .

1.    Applicant's request for reconsideration of the finality of the rejection of the last Office

action filed on 10-24-03 is persuasive and, therefore, the finality of that action is withdrawn.


*Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

2.    Claims 3, 6-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chernock

et al (US Patent no. 6,229,524 B1) in view of Blonstein et al. (US Patent No. 5,955,988) and

Inoue (US Patent No. 6,496,896 B1).

As to claim 3, Chernock et al. teaches an OSD image display apparatus, comprising:    an

OSD source remote controller for generating a cursor display command on a screen (See fig. 3,

items 1-12, tab, enter, options, in description see Col. 5, Lines 56-67);   an OSD source for

initially transmitting OSD cursor display data (See Fig. 2, items Frame 1, 30,40,50,60, in

description See Col. 5, Lines 43-54); a display apparatus for storing OSD cursor display data

transmitted by the OSD source in the memory (See Col. 4, Lines 46-63), and  displaying the

cursor display data on the screen by reading the cursor display data stored in the memory in

response to the cursor display location information (See Fig. 2, items Frame 1, 30,40,50,60, in

description See Col. 5, Lines 43-54), a storage device for setting display information indicating

that the OSD source is a product which can store OSD cursor display data provided from the

display apparatus (See Fig. 2, item 60, in description See Col. 5, Lines 54-67 and Col. 4, Lines 54-63).

Chernock et al. teaches to reposition the cursor from one hot spot to another using the tab key or arrow keys (See Fig. 2, items Frame 1, 30,40,50,60, in description from See Col. 5, Lines 56 to Col. 6, Line 20).

Chernock et al. does not show transmitting only cursor display location information if the cursor display command is received from OSD source remote controller.

Blonstein et al. teaches moving the cursor on the TV screen in alignment with pointing device movement (See Fig. 7, in description See from Col. 9, Line 59 to Col. 10, Line 11).

It would have been obvious to one of ordinary skill in the art at the time of invention to implement the cursor movement transmitting only the cursor display information as shown by Blonstein et al. in Chernock et al. apparatus in order to provide the user with a simple interface to navigate a cursor among current hot spots (See from Col. 2, Line67 to Col. 3, Line1 in Chernock et al. reference).

Blonstein et al. and Chernock et al. do not teach a storage device is a register.

Inoue teaches Count register with the plug structure of asynchronous communication (See Fig. 53, items Transmission and Reception Sides, in description See Col. 58, Lines 12-19).

It would have been obvious to one of ordinary skill in the art at the time of invention to implement the storage device as a register as shown by Inoue in Blonstein et al. and Chernock et al. apparatus in order to transmit and received data through a data interface in accordance with a predetermined data communication format (See Col. 1, Lines 13-15 in Inoue reference).

As to claims 6, Inoue teaches output asynchronous plug as a Count register with the plug structure of asynchronous communication (See Fig. 53, items Transmission and Reception Sides, in description See Col. 58, Lines 12-19).

As to claim 7, Chernock et al. teaches an MPEG source for supplying an MPEG transport stream to the display apparatus (See Fig. 1, items 100, 160,170, in description See Col. 5, Lines 11-22); an OSD generator display data in digital format (See Col. 4, Lines 38-45); a controller for controlling the MPEG source and OSD generator (See from Col. 4, Line 64 to Col. 5, Line 10).

Chernock et al. does not show an OSD generator for generating display data in bitmap format. Since advantages of using bitmap format were not shown, it would have been obvious to one of ordinary skill in the art at the time of invention to implement an OSD generator for generating display data in bitmap format in Chernock et al. apparatus in order to provide the user with a simple interface to navigate a cursor among current hot spots (See from Col. 2, Line67 to Col. 3, Line1 in Chernock et al. reference).

As to claim 8, Chernock et al. teaches a command input part for receiving a command signal from the OSD source remote controller and providing the command signal to the controller (See from Col. 4, Line 64 to Col. 5, Line 10).

As to claim 9, Chernock et al. teaches an Mpeg decoder for decoding an MPEG transport stream and outputting image data (See Fig. 1, items 100, 160,170, in description See Col. 5, Lines 11-22); a buffer for buffering OSD data (See Col. 4, Lines 46-64); an overlapper for overlapping the image data and OSD data and providing overlapped data to the screen (See Col. 4, Lines 54-49); a controller for controlling the MPEG decoder, the buffer, the overlapper,

the memory, and the screen (See Fig. 1, items 100, 160,170, in description See Col. 5, Lines 3-

22).

As to claim 10, Chernock et al. teaches a display apparatus remote controller (See from

Col. 4, Line 64 to Col. 5, Lines 22).

As to claim 11, Chernock et al. teaches a command input part for receiving a command

signal from the display apparatus remote controller (as part of controller) and providing the

command signal to the controller (See Col. 5, lines 4-22).

### Response to Arguments

3.      Applicant's arguments filed on 10-24-03 with respect to claims 3-11 have been

considered but are moot in view of the new ground(s) of rejection.

### Telephone inquire

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Leonid Shapiro whose telephone number is 703-305-5661. The

examiner can normally be reached on 8 a.m. to 5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Bipin Shalwala can be reached on 703-305-4938. The fax phone number for the

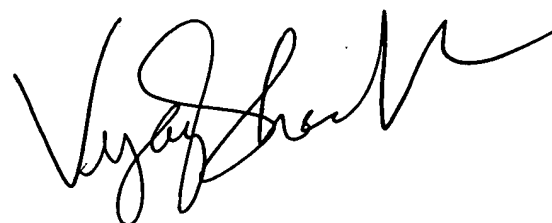organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703-305-4750.

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VIJAY SHANKAR
PRIMARY EXAMINER